

FLOYD, TOWN OF
Located in County of Floyd.
Originally the Town of Jacksonville.

Jacksonville established, 1832, c. 200.

Jacksonville incorporated, 3 Mar 1858; repealed 1867, c. 207.

Jacksonville incorporation and charter, 1892, c. 309; repealed 1926, c. 435.

Name changed to Floyd, 1896, c. 120.

Charter, 1926, c. 435; repealed 1973, c. 370.

Charter, 1973, c. 370.

Amended 1974, c. 10 (§ 3.1)

2003, c. 658, 668 (§ 3.1).

CHAPTER 1

INCORPORATION AND BOUNDARIES

§ 1.1. Incorporation. The inhabitants of the territory comprised within the present limits of the town of Floyd as such limitations are now, or may hereafter be altered and established by law, shall constitute and continue a body politic and corporate, to be known and designated as the town of Floyd and as such shall have perpetual succession, may sue and be sued, implead and be impleaded, contract and be contracted with, and may have a corporate seal which it may alter, renew, or amend at its pleasure by proper ordinance. (1973. c. 370)

§ 1.2. Boundaries. The territory embraced within the town of Floyd is that territory in the county of Floyd, Virginia, as set forth by plat recorded in the clerk's office of the Circuit Court of Floyd County, Virginia, in deed book 69 on page 410-A which is incorporated herein by reference. (1973. c. 370)

CHAPTER 2

POWERS

§ 2.1. The town of Floyd shall have all powers that may be conferred upon or delegated to towns under the constitution and laws of the Commonwealth of Virginia, including, but not limited to, those powers set forth in §§ 15.1-873 through 15.1-907 of the Code of Virginia as amended. (1973. c. 370)

CHAPTER 3

MAYOR AND COUNCIL

§ 3.1. Election, qualification and term of office.

(a) The Town of Floyd shall be governed by a town council composed of four councilmen and a mayor, all of whom shall be qualified voters of the town.

(b) The mayor and councilmen in office at the time of the passage of this act shall continue until the expiration of the terms for which they were elected or until their successors are duly elected and qualified.

An election for mayor and councilmen shall be held on the first Tuesday in May, 1974, and those elected shall take office on the first day of July, 1974. The mayor and the two councilmen receiving the highest number of votes shall take office for a term of four years. The two councilmen receiving the next highest number of votes shall take office

for a term of two years. Thereafter, there shall be an election on the first Tuesday in May of each even numbered year and those elected shall take office on the first day of the succeeding July for a term of four years.

However, pursuant to § 24.2-222.1 of the Code of Virginia, beginning in 2003, the election date of the mayor and council shall be the general election date in November of odd-numbered years. The election for two council members, last elected in May 2000 and having taken office on July 1, 2000, shall be held on the general election date in November 2003 to take office for terms of four years beginning on January 1, 2004. The election for the office of mayor and for two council members, last elected in May 2002 and having taken office on July 1, 2002, shall be held on the general election date in November 2005 to take office for terms of four years beginning on January 1, 2006.

(c) The mayor shall preside over meetings of the town council and shall be the chief official of the town for ceremonial purposes. He shall have the same powers and duties as other members of the council with a vote but no veto power. (1973. c. 370; 1974, c. 10; 2003, c. 658, 668)

§ 3.2. Vacancies. Vacancies on the council and in the office of mayor shall be filled for the unexpired term by a majority vote of the members of council. (1973. c. 370)

§ 3.3. Qualifications of members. Any person qualified to vote in the town shall be eligible for the office of councilman or mayor. (1973. c. 370)

§ 3.4. Powers of Council. The council along with the mayor shall make such rules as are necessary for the orderly conduct of their business not inconsistent with the laws of Virginia and shall have the power in their discretion to appoint a clerk, treasurer, town attorney or town sergeant who shall have such duties and shall serve for such terms and at such compensation as the council may determine, except that the town sergeant's term of office shall be as provided by law. (1973. c. 370)

CHAPTER 4

MISCELLANEOUS

§ 4.1. Eminent Domain. The powers of eminent domain as set forth in Title 15.1 and Title 25 of the Code of Virginia as amended are hereby conferred upon the town of Floyd. (1973. c. 370)

§ 4.2. Fiscal Year. The fiscal year of the town shall begin on July 1 of each year and end on June 30 of the following year. (1973. c. 370)

§ 4.3. Ordinances continuing. All ordinances now in force in the town of Floyd, not inconsistent with this charter, shall remain in force until altered, amended, or repealed by the council. (1973. c. 370)

§ 4.4. Legislative procedure. Except in dealing with parliamentary procedure the council shall act only by ordinance or resolution, and with the exception of ordinances making appropriations, or authorizing the contracting of indebtedness, shall be confined to one general subject. (1973. c. 370)